

AMENDED IN ASSEMBLY APRIL 24, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2166

Introduced by Assembly Member Cardenas

February 23, 2000

~~An act to add Section 50455.5 to the Health and Safety Code, An act to amend Sections 50675.7 and 124250 of, and to add Section 50455.5 to, the Health and Safety Code, relating to housing.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2166, as amended, Cardenas. Housing assistance plan: domestic violence.

Existing law provides that the Department of Housing and Community Development is the principal state department responsible for implementation of the California Statewide Housing Plan.

~~This bill would require the department to develop a statewide domestic violence housing assistance plan and related policies, goals, and objectives departments that currently collect data on the housing-related needs of domestic violence victims including, but not limited to, the State Department of Health Services, the Office of Criminal Justice Planning, and the Attorney General to provide the Department of Housing and Community Development with relevant data for inclusion in the California Statewide Housing Plan.~~

Existing law requires the Maternal and Child Health Branch of the State Department of Health Services to administer grants that are awarded to battered women's shelters to fund, among other things, transitional housing programs for victims of domestic violence. These programs offer up to 18 months of transitional housing and other services.

This bill would increase the allowable time limit for these services from 18 to 24 months.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 50455.5 is added to the Health
2 and Safety Code, to read:

3 ~~50455.5. The department shall develop a statewide~~

4 50455.5. Departments that currently collect data on
5 the housing-related needs of domestic violence victims,
6 including, but not limited to, the State Department of
7 Health Services, the Office of Criminal Justice Planning,
8 and the Attorney General shall provide the Department
9 of Housing and Community Development with relevant
10 data for inclusion in the California Statewide Housing
11 plan.

12 SEC. 2. Section 50675.7 of the Health and Safety Code
13 is amended to read:

14 50675.7. Loans shall be provided using a project
15 selection process established by the department that
16 meets all of the following requirements:

17 (a) To the extent feasible, this process shall be
18 coordinated with the processes of other major housing
19 funding sources, including that of the California Tax
20 Credit Allocation Committee, and shall ensure a
21 reasonable geographic distribution of funds.

22 (b) The process shall require that applications for
23 projects meet minimum threshold requirements,
24 including, but not limited to, all of the following:



1 (1) The proposed project shall be located within
2 reasonable proximity to public transportation and
3 services.

4 (2) Development costs for the proposed project shall
5 be reasonable compared to costs of comparable projects
6 in the local area.

7 (3) The proposed project shall be feasible.

8 (4) The sponsor shall have the capacity to own and
9 develop the proposed project.

10 (c) Projects that meet threshold requirements shall be
11 evaluated for funding based on weighted underwriting
12 and evaluative criteria that give consideration to projects
13 that meet the following criteria:

14 (1) Serve households at the lowest income levels,
15 consistent with long-term feasibility, considering regional
16 variations.

17 (2) Address the most serious identified local housing
18 needs.

19 (3) Will be developed and owned by entities with
20 substantial and successful experience.

21 (4) Contain a significant percentage of units for
22 families or special needs populations, *as is the case with*
23 *victims of domestic violence, where a safe and stable*
24 *living environment is essential for the maintenance of the*
25 *family unit.*

26 (5) Leverage other funds in those jurisdictions where
27 they are available.

28 (d) The department may establish alternate project
29 selection processes, threshold requirements, and
30 priorities for funds appropriated for special purposes.
31 These alternate processes, requirements, and priorities
32 shall be tied to the specific needs and objectives for which
33 the funds have been appropriated.

34 (e) Loans for rental housing developments and
35 transitional housing may be reviewed, approved, and
36 funded by the department directly to the sponsor. The
37 department shall ensure that the sponsor notifies the local
38 legislative body of the sponsor's loan application prior to
39 application submission.

1 (f) The department may make grants to local public
2 entities using funds reserved by the Legislature for
3 rehabilitation, or acquisition and rehabilitation, in
4 support of code enforcement. The local entities shall then
5 make the funds available as loans, and they may be
6 allowed to collect and retain loan repayments, provided
7 that these repayments are reloaned in accordance with
8 the requirements of this chapter, as it relates to funds
9 used in support of code enforcement.

10 *SEC. 3. Section 124250 of the Health and Safety Code*
11 *is amended to read:*

12 124250. (a) The following definitions shall apply for
13 purposes of this section:

14 (1) “Domestic violence” means the infliction or threat
15 of physical harm against past or present adult or
16 adolescent female intimate partners, and shall include
17 physical, sexual, and psychological abuse against the
18 woman, and is a part of a pattern of assaultive, coercive,
19 and controlling behaviors directed at achieving
20 compliance from or control over, that woman.

21 (2) “Shelter-based” means an established system of
22 services where battered women and their children may
23 be provided safe or confidential emergency housing on a
24 24-hour basis, including, but not limited to, hotel or motel
25 arrangements, haven, and safe houses.

26 (3) “Emergency shelter” means a confidential or safe
27 location that provides emergency housing on a 24-hour
28 basis for battered women and their children.

29 (b) The Maternal and Child Health Branch of the
30 State Department of Health Services shall administer a
31 comprehensive shelter-based services grant program to
32 battered women’s shelters pursuant to this section.

33 (c) The Maternal and Child Health Branch shall
34 administer grants, awarded as the result of a request for
35 application process, to battered women’s shelters that
36 propose to maintain shelters or services previously
37 granted funding pursuant to this section, to expand
38 existing services or create new services, and to establish
39 new battered women’s shelters to provide services, in any
40 of the following four areas:

1 (1) Emergency shelter to women and their children
2 escaping violent family situations.

3 (2) Transitional housing programs to help women and
4 their children find housing and jobs so that they are not
5 forced to choose between returning to a violent
6 relationship or becoming homeless. The programs may
7 offer up to ~~18~~ 24 months of housing, case management,
8 job training and placement, counseling, support groups,
9 and classes in parenting and family budgeting.

10 (3) Legal and other types of advocacy and
11 representation to help women and their children pursue
12 the appropriate legal options.

13 (4) Other support services for battered women and
14 their children.

15 (d) In implementing the grant program pursuant to
16 this section, the State Department of Health Services
17 shall consult with an advisory council, to remain in
18 existence until January 1, 2003. The council shall be
19 composed of not to exceed 13 voting members and two
20 nonvoting members appointed as follows:

21 (1) Seven members appointed by the Governor.

22 (2) Three members appointed by the Speaker of the
23 Assembly.

24 (3) Three members appointed by the Senate
25 Committee on Rules.

26 (4) Two nonvoting ex officio members who shall be
27 Members of the Legislature, one appointed by the
28 Speaker of the Assembly and one appointed by the Senate
29 Committee on Rules. Any Member of the Legislature
30 appointed to the council shall meet with, and participate
31 in the activities of, the council to the extent that
32 participation is not incompatible with his or her position
33 as a Member of the Legislature.

34 The membership of the council shall consist of domestic
35 violence advocates, battered women service providers,
36 and representatives of women's organizations, law
37 enforcement, and other groups involved with domestic
38 violence. At least one-half of the council membership
39 shall consist of domestic violence advocates or battered

1 women service providers from organizations such as the
2 California Alliance Against Domestic Violence.

3 It is the intent of the Legislature that the council
4 membership reflect the ethnic, racial, cultural, and
5 geographic diversity of the state.

6 (e) The department shall collaborate closely with the
7 council in the development of funding priorities, the
8 framing of the Request for Proposals, and the solicitation
9 of proposals.

10 (f) (1) The Maternal and Child Health Branch of the
11 State Department of Health Services shall administer
12 grants, awarded as the result of a request for application
13 process, to agencies to conduct demonstration projects to
14 serve battered women, including, but not limited to,
15 creative and innovative service approaches, such as
16 community response teams and pilot projects to develop
17 new interventions emphasizing prevention and
18 education, and other support projects identified by the
19 advisory council.

20 (2) For purposes of this subdivision, “agency” means
21 a state agency, a local government, a community-based
22 organization, or a nonprofit organization.

23 (g) It is the intent of the Legislature that services
24 funded by this program include services in underserved
25 and ethnic and racial communities. Therefore, the
26 Maternal and Child Health Branch of the State
27 Department of Health Services shall do all of the
28 following:

29 (1) Fund shelters pursuant to this section that reflect
30 the ethnic, racial, economic, cultural, and geographic
31 diversity of the state.

32 (2) Target geographic areas and ethnic and racial
33 communities of the state whereby, based on a needs
34 assessment, it is determined that no shelter-based
35 services exist or that additional resources are necessary.

36 (h) The director may award additional grants to
37 shelter-based agencies when it is determined that there
38 exists a critical need for shelter or shelter-based services.

1 (i) As a condition of receiving funding pursuant to this
2 section, battered women's shelters shall do all of the
3 following:

4 (1) Provide matching funds or in-kind contributions
5 equivalent to not less than 20 percent of the grant they
6 would receive. The matching funds or in-kind
7 contributions may come from other governmental or
8 private sources.

9 (2) Ensure that appropriate staff and volunteers
10 having client contact meet the definition of "domestic
11 violence counselor" as specified in subdivision (a) of
12 Section 1037.1 of the Evidence Code. The minimum
13 training specified in paragraph (2) of subdivision (a) of
14 Section 1037.1 of the Evidence Code shall be provided to
15 those staff and volunteers who do not meet the
16 requirements of paragraph (1) of subdivision (a) of
17 Section 1037.1 of the Evidence Code.

18 ~~domestic violence housing assistance plan and related~~
19 ~~policies, goals, and objectives for inclusion in the~~
20 ~~California Statewide Housing Plan for the provision of~~
21 ~~permanent housing for families whose needs continue~~
22 ~~beyond the use of emergency and transitional housing.~~

